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Attorneys for Plaintiffs
UNITAS RECEIVABLES TRUSTEE (Pvt.) LIMITED and
SUMITOMO MITSUI BANKING CORPORATION EUROPE LIMITED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

~~MEJ~~

CV 10 2490 JSW

UNITAS RECEIVABLES TRUSTEE (Pvt.))
LIMITED,)

and)

SUMITOMO MITSUI BANKING)
CORPORATION EUROPE LIMITED,)

Plaintiffs,)

vs.)

HANJIN SHIPPING CO. LTD.,)

Defendant IN PERSONAM,)

and)

EACH CONTAINER, Leased Pursuant to)
Any Lease Between Unitas Finance)
(Ireland), Ltd. its affiliates, successors,)
and/or assigns in interest and Hanjin)
Shipping Co., Ltd. and its affiliates,)
successors, or assigns in interest,)

Defendant IN REM.)

~~PROPOSED~~ ORDER FOR
APPOINTMENT OF SUBSTITUTE
CUSTODIAN

1 Plaintiffs having appeared and made the following recital:

2 1. On June 7, 2010 the complaint herein was filed with a request for the arrest of
3 intermodal marine containers pursuant to Federal Rules of Civil Procedure, Supplemental Rule D
4 for Certain Admiralty and Maritime Actions.

5 2. The Clerk of this Court was requested to issue a warrant of arrest commanding the
6 United States Marshal for this District to arrest and take into the custody the intermodal marine
7 containers.

8 3. It is contemplated that the United States Marshal will be able to seize the
9 intermodal marine containers. Custody of the intermodal marine containers will require the
10 services of one or more keepers.

11 4. In the interest of allowing the intermodal marine containers to remain in the hands
12 of competent persons and to save unnecessary expenses, Plaintiffs wish to have the Court appoint
13 Fast Lane Transportation, Inc., as substitute custodian of the intermodal marine containers.

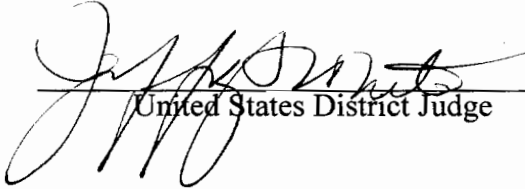
14 5. Plaintiffs, in consideration of the Marshal's consent to the substitution of custody
15 of the intermodal marine containers, agree to release the United States and the Marshal from any
16 and all liability and responsibility arising out of the care and custody of the intermodal marine
17 containers from the time the Marshal transfers custody of said items over to the substitute
18 custodians, and Plaintiffs further agree to hold harmless and indemnify the United States and the
19 Marshal from any and all claims whatsoever arising out of the substitute custodian's possession
20 and safekeeping of the intermodal marine containers.

21 6. THEREFORE, IT IS HEREBY ORDERED that the United States Marshal be
22 authorized and directed to surrender the possession and custody of the intermodal marine
23 containers to the Substitute Custodian and that upon such surrender the Marshal shall be
24 discharged from his or her duties and responsibilities for the safekeeping of those items and held
25 harmless for any and all claims arising whatever out of said substituted possession and
26 safekeeping of the items.

27 7. IT IS FURTHER ORDERED that the intermodal marine containers may be
28 moved from the location of arrest to the premises of the Substitute Custodian and to such further

1 premises as the Substitute Custodian may direct, within this District, in order to reduce costs and
2 accommodate the orderly business of the Port.

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4 Dated: 6/7/10, 2010.

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United States District Judge
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